

Rec'd PCT/PTO 28 OCT 2005 #5

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8  
I hereby certify that this correspondence is being deposited  
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Commissioner for Patents, P.O. Box 1450 Alexandria, VA  
22313-1450 on October 25, 2005

  
Joel D. Voelzke

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Attorney Docket No. : 123-002  
First Named Inventor: : John Barry FINN  
Application No. : 10/534,222  
Filing Date : May 6, 2005  
Art Unit : unassigned  
Examiner's Name: : unassigned  
Customer Number: : 47533

**TRANSMITTAL LETTER**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box. 1450  
Alexandria, VA 22313-1450

Dear Sirs:

In response to the Notification of Missing Requirements dated October 21, 2005, Applicant submits herewith the following for filing the above-identified application:

1. Declaration For Utility or Design Patent Application and Power of Attorney (with Authorization re Agent), executed by co-inventor Brian Douglas Jenkins;
2. Declaration Under 37 CFR §1.47 and 37 CFR § 1.64 Regarding Non-Signing Inventor;
3. Petition Under 37 CFR §1.47 Regarding Non-Signing Inventor;
4. A check for \$130 to in payment of the following fees:
  - \$65 fee under 37 CFR §1.16(e) for late filing of the Declaration; and
  - \$65 Petition fee under 37 CFR §1.17(h) and §1.47.

The Commissioner is hereby authorized to charge any additional fees not provided for herewith to Deposit Account No. 50-3504.

11/05/2005 GPREY1 00000071 503504 10534222  
01 03:55:17 67.00 00

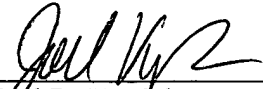
Applicant believes that this national stage application is now complete, and requests that the application proceed to examination on the merits. The undersigned attorney can be reached at 310-590-4528 to facilitate processing of this application, if necessary.

Respectfully submitted,

INTELLECTUAL PROPERTY LAW OFFICE OF  
JOEL D. VOELZKE

DATED: October 24, 2005

By:

  
\_\_\_\_\_  
Joel D. Voelzke  
Registration No. 37,957

400 Corporate Pointe, Suite 300  
Culver City, CA 90230  
Tel: (310) 590-4525  
Fax: (310) 590-4526



JCO6 Rec'd PC TO 28 OCT 2005

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

9

Application Number 10/534,222

Filing Date May 6, 2005

First Named Inventor John Barry Finn

Art Unit Not Yet Assigned

Examiner Name Not Yet Assigned

Attorney Docket Number 123-002

**ENCLOSURES (Check all that apply)**☐ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☒ Reply to Missing Parts/  
Incomplete Application☐ Reply to Missing Parts  
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☒ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation☐ Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board  
of Appeals and Interferences☐ Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify  
below):

1. Transmittal Letter

2. Declaration

3. Check in the amount of \$130

4. Postcard

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Intellectual Property Law Office of Joel D. Voelzke

Signature

Printed name

Joel D. Voelzke

Date

October 25, 2005

Reg. No.

37,957

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Justina S. Townsend

Date

October 25, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 195.00

**Complete if Known**

Application Number	10/534,222
Filing Date	May 6, 2005
First Named Inventor	John Barry FINN
Examiner Name	Not Yet Assigned
Art Unit	Not Yet Assigned
Attorney Docket No.	123-002

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 50-3504 Deposit Account Name: L/O of Joel D. Voelzke

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity Fee (\$)
50	25
200	100
360	180

Each independent claim over 3 (including Reissues)

Multiple dependent claims

**Total Claims****Extra Claims****Fee (\$)****Fee Paid (\$)**

- 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims****Extra Claims****Fee (\$)****Fee Paid (\$)**

- 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

**Multiple Dependent Claims****Fee (\$)****Fee Paid (\$)**12/19/2005 GFREY1 00000052 10534222  
01 FC:2617 65.00 0P**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	_____ / 50 = _____	(round up to a whole number) x _____	_____	_____

**4. OTHER FEE(S)**

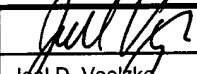
Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Petition under 37 CFR 1.47/1.17(h) \$130; Late Declaration \$65

**Fees Paid (\$)**

\$195

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent) 37,957	Telephone (310) 590-4525
Name (Print/Type)	Joel D. Voelzke	Date December 12, 2005	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/534,222	John Barry Finn	123-002

INTERNATIONAL APPLICATION NO.
PCT/AU03/01480

I.A. FILING DATE	PRIORITY DATE
11/10/2003	11/08/2002

47533  
INTELLECTUAL PROPERTY LAW OFFICE OF JOEL VOELZKE  
400 CORPORATE POINTE, SUITE 300  
CULVER CITY, CA 90230

**CONFIRMATION NO. 8459**  
**371 FORMALITIES LETTER**



\*OC000000017269419\*

Date Mailed: 10/21/2005

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 05/06/2005
- Copy of the International Search Report filed on 05/06/2005
- Information Disclosure Statements filed on 05/27/2005
- Oath or Declaration filed on 05/06/2005
- Small Entity Statement filed on 05/06/2005
- U.S. Basic National Fees filed on 05/06/2005
- Priority Documents filed on 05/06/2005
- Specification filed on 05/06/2005
- Claims filed on 05/06/2005
- Abstracts filed on 05/06/2005
- Drawings filed on 05/06/2005

Intellectual Property  
Law Office Of

OCT 24 2005

Joel D. Voelzke

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27,

must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/534,222	PCT/AU03/01480	123-002

FORM PCT/DO/EO/905 (371 Formalities Notice)